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DETAILED ACTION

1. Applicant is reminded that claims 41-44 were canceled by amendment filed 6/19/09; thus the claims filed 1/19/10 should indicate the cancellation.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 26,28, 34, and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 01/19936. WO 01/19936 teaches the claimed process as evidenced by pg 5, lns 22-25, pg 9, lns 8-10, and figs 1-6. It should be noted that sealing webs 18 and 20 constitute the claimed barrier that restricts the outbound flow of the resin. Also, the sealing webs 18 and 20 constitute as part of the molding tool since they help to determine the shape of a portion of the final product.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 29,30,33,35,36,37, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/19936. The above teachings of WO 01/19936 are incorporated hereinafter. In regard to claims 29 and 30, such is well-known in the

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molding art as an effective means for holding a preform or a film. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a pressure difference such as a vacuum to hold the webs of WO 01/19936 against the components of WO 01/19936 in order to ensure precision. In regard to claim 33, such is well-known in the molding art in order to increase and reduce adhesion of a molding material against a preform. See US class 264, subclass 265. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to condition the component to improve its adhesion to the molding material, and to reduce its adhesion to the web of WO 01/19936 in order to facilitate molding. In regard to claim 35, such is well-known in the molding art in order to control suction of the molding material. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a filter into the outlet of WO 01/19936 in order to enable better control of the suction. In regard to claim 36, the specific design of a preform is a mere obvious matter of choice dependent on the desired final product and of little patentable consequence to the claimed process since it is not a manipulative feature or step of the claimed process. Further, the claimed design is well-known in the aircraft art. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an aperture in the component of WO 01/19936 in order to reduce molding complexity. In regard to claim 37, such is well-known in the molding art to feed a molding material via an aperture and then reopen the aperture after curing in order to form a functional opening. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to feed the material of

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WO 01/19936 through an aperture and then re-machine the aperture in order to form a functional opening. In regard to claim 39, the specific design of a preform is a mere obvious matter of choice dependent on the desired final product and of little patentable consequence to the claimed process since it is not a manipulative feature or step of the claimed process. Further, the claimed composite components are well-known in the aircraft art. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a composite component in the process of WO 01/19936 in order to produce diverse products.

6. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/19936 in view of the admitted prior art set forth on pages 1-2 of the instant specification. WO 01/19936 teaches all of the claimed limitations (pg 5, lns 22-25, pg 9, lns 8-10, and figs 1-6) except using composite components. It should be noted that sealing webs 18 and 20 of WO 01/19936 constitute the claimed barrier, which is part of the molding tool. The admitted prior art teaches forming shims between composite aircraft components. WO 01/19936 and the admitted prior art are combinable because they are analogous with respect to forming shims between aircraft components. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use composite aircraft components in the process of WO 01/19936 in order to form diverse joined aircraft components.

7. Applicant's arguments filed 1/19/10 have been fully considered but they are not persuasive. Applicant argues that Healey does not teach the claimed invention because

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it requires two components whereas the claimed invention requires only one component. This argument is misplaced because the instant claimed invention is open-ended, thus the production of a two aircraft component bearing a shim therebetween is within the metes and bounds of the claimed invention. In regard to applicant's argument that Healey does not use a molding tool that would be understood by one of ordinary skill in the art, this argument is confusing because in-situ molding is notoriously well-known in the molding art. Furthermore, it is notoriously well-known in the molding art to use at least one perform as a molding surface during a molding process in order to reduce manufacturing costs, ensure bonding between the preform and molding article, and simplify molding process.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571.272.1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner
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